

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Edward Farley

v.

Case No. 10-cv-345-PB

James DeHart, et al

ORDER

The plaintiff has failed to comply with my order to file an objection to the motion to dismiss. Therefore, even if he has not waived his right to object to the relief requested in the motion, an issue I do not decide, he has deprived me of information I need to evaluate the motion. Accepting as true the defendants' assertions with respect to standing - to the extent that they are not contradicted by averments in the complaint - I conclude that the plaintiff lacks standing for the reasons set forth in the defendants' objection and supporting memorandum. The motion to dismiss (doc. no 30) is granted and the complaint is dismissed without prejudice.

SO ORDERED.

February 10, 2011

/s/ Paul Barbadoro  
Paul Barbadoro  
United States District Judge

cc: Edward Farley, Pro se  
Nancy Smith, Esq.